

FORM PTO-1390  
REV. 5-93US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEYS DOCKET NUMBER

**P05,0256**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/542,647**INTERNATIONAL APPLICATION NO.  
**PCT/EP2004/00114**INTERNATIONAL FILING DATE  
**06 February 2004**PRIORITY DATE CLAIMED  
**06 February 2003**

TITLE OF INVENTION:

**"METHOD AND DEVICE FOR CONTROLLING THE TIME AT WHICH THE TONER CONCENTRATION IS MEASURED IN A DEVELOPER MIXTURE CONTAINING TONER AND CARRIERS, AND CORRESPONDING PRINTER OR COPIER"**

APPLICANT(S) FOR DO/EO/US

**Stefan FRANZL, Florian KÖFFERLEIN, Stefan KRIEGER, Peter MÖSTL and Alfred ZOLLNER**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **EXECUTED**
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (**PTO 1449, Prior Art, Search Report**).
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **SECOND** preliminary amendment.  
A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. ☒ **EXPRESS MAIL #EV 362545 955 US Mailed October 5, 2005.**
  - b. ☐
  - c. ☐

U. S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/542,647		INTERNATIONAL APPLICATION NO. PCT/EP2004/001114		ATTORNEY'S DOCKET NUMBER P05,0256	
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17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b> (Search Report has been prepared by the EPO or JPO) ..... \$900.00 (Includes National Stage, Search, and Examination Fees)  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				CALCULATIONS		PTO USE ONLY	
				<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).				<b>\$130.00</b>			
Claims	Number Filed	Number Extra	Rate				
Total Claims	20 =	0	X \$50.00	<b>\$00</b>			
Independent Claims	3 =	0	X \$200.00	<b>\$00</b>			
Multiple Dependent Claims			\$300.00 +				
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>			
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)							
<b>SUBTOTAL =</b>				<b>\$130.00</b>			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$00			
<b>TOTAL NATIONAL FEE =</b>				<b>\$130.00</b>			
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				+			
<b>TOTAL FEES ENCLOSED =</b>				<b>\$130.00</b>			
10/13/2005 MKAYPAGH 00000131 10542647 01 FC:1617 130.00 DP				Amount to be refunded			
				charged			

  

a. ☒ A check in the amount of **\$130.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **501519**. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**Schiff Hardin LLP**  
**Patent Department**  
**6600 Sears Tower**  
**Chicago, Illinois 60606-6473**  
**Customer Number 26574**

**SIGNATURE**  
  
**Brett A. Valiquet**  
**NAME**  
**27,841**  
**Registration Number**

**CERTIFICATION OF MAILING**

"Express Mail" Mailing Label Number **EV 362545955 US**

Date of Deposit: October 5, 2005

I hereby certify that this correspondence is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, **MAIL STOP PCT**, P.O. Box 1450, Alexandria VA 22313-1450.

**Stefan FRANZL et al**

PCT Application entitled: **"METHOD AND DEVICE FOR CONTROLLING THE TIME AT WHICH THE TONER CONCENTRATION IS MEASURED IN A DEVELOPER MIXTURE CONTAINING TONER AND CARRIERS, AND CORRESPONDING PRINTER OR COPIER"**

Our Case No. P05,0256 (26970-0378)

Form 1390 in Duplicate

Executed Declaration

Executed Assignment (Separate Envelope) - \$40.00 – Postcard

\$130.00 Fee

Postcard

Signature of person mailing application and fee

A handwritten signature in black ink, appearing to be 'Stefan Franzl', written over a horizontal line.

CH1\ 4314971.1